

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TH PROPERTIES, L.P., MORGAN HILL
DRIVE, L.P., NORTHGATE
DEVELOPMENT COMPANY, L.P., TH
PROPERTIES, TH PROPERTIES OF
NEW JERSEY, L.P., TH PROPERTIES,
INC., TH PROPERTIES, LLC, AND
WYNSTONE DEVELOPMENT GROUP,
L.P.

Appellants,

v.

MONTGOMERY MCCRACKEN
WALKER & RHOADS LLP

Appellee.

CIVIL ACTION

NO. 24-4143

ORDER

AND NOW, this 28th day of May, 2025, upon consideration of Appellants' Memorandum of Law in Support of its Appeal from the July 29, 2024 and October 23, 2024 Orders of the United States Bankruptcy Court for the Eastern District of Pennsylvania entered in Bankruptcy Dkt. No. 09-13201 (ECF No. 12), and Appellee's Response thereto (ECF No. 14),

IT IS HEREBY ORDERED as follows:

1. The Bankruptcy Court's July 29, 2024 Opinion and Order are **AFFIRMED** as to the interpretation of the term "claims" in the Parties' Stipulation and the amount owed to Appellee.
2. The issue of whether the Bankruptcy Court erred in its October 23, 2024 Order by granting Appellee's Motion for Reconsideration is **DEEMED WAIVED** in light of Appellants' failure to file an amended notice of appeal.
3. The above-captioned action is **REMANDED** to the Bankruptcy Court for any further proceedings.
4. The Clerk of Court is **DIRECTED** to **TERMINATE** this matter and mark it as **CLOSED**.

BY THE COURT:

S/ WENDY BEETLESTONE

WENDY BEETLESTONE, J.